

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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ANGELITA R. CRUZ,

Plaintiff,

Case No. 03-C-1489

v.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.

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**OPINION AND ORDER**

This is an action for judicial review of the final decision of the Commissioner of Social Security denying supplemental security income benefits to Angelita Cruz. On September 29, 2005, this court issued an Opinion and Order remanding this matter to the Commissioner pursuant to Sentence 4 of 42 U.S.C. §406(g). The Plaintiff's attorney then filed a motion for attorney fees under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412. The Commissioner does not oppose the attorney's request for Five Thousand Three Hundred Ninety-Six Dollars and Seven Cents (\$5,396.07) in full satisfaction and settlement of any and all claims he might have under the EAJA.

Accordingly, the court ORDERS that the "Plaintiff's Application for Attorneys' Fees Under the Equal Access to Justice Act" (filed December 28, 2005) IS GRANTED.

IT IS FURTHER ORDERED that the Clerk of Court shall amend the judgment entered on September 29, 2005, to add that:

IT IS FURTHER ORDERED AND ADJUDGED

that the Commissioner of the Social Security Administration shall pay Plaintiff's Attorney, Frederick J. Daley, Jr. the amount of Five Thousand Three Hundred Ninety-Six Dollars and Seven Cents (\$5,396.07) in satisfaction and settlement of any and all claims under the Equal Access to Justice Act.

Done and Ordered in Chambers at the United States Courthouse,  
Milwaukee, Wisconsin, this 31st day of May, 2006.

s/ Thomas J. Curran  
Thomas J. Curran  
United States District Judge